

Official Proceedings

October 1, 2019
8:00 am

Chairman Zander called the meeting of the Stark County Board of Commissioners to order. All members present.

Agenda

Chairman Zander asked for any changes to the agenda. Commissioner Arthaud added Entrec-Lembke Fine and tax letters. Commissioner Kuntz added speed limit signs on Highway 10. Commissioner Zander added meeting minutes. State's Attorney Tom Henning added advisory last meeting.

MOTION BY: Commissioner Elkin **SECOND BY:** Commissioner Kuntz

To approve the agenda with the additions.

DISPOSITION: Motion carried

Minutes

The September 3, 2019 Board of County Commissioner's meeting minutes were presented.

MOTION BY: Commissioner Kuntz **SECOND BY:** Commissioner Elkin

To approve the September 3, 2019 Board of County Commissioner's meeting minutes as presented.

DISPOSITION: All voted aye. Motion carried

The September 17, 2019 Board of County Commissioner's special meeting minutes were presented.

MOTION BY: Commissioner Arthaud **SECOND BY:** Commissioner Kuntz

To approve the September 17, 2019 Board of County Commissioner's meeting minutes as presented.

DISPOSITION: No call for vote.

Advisory Last Meeting

Discussion was held concerning motions that were made during the September 17 special meeting. State's Attorney Tom Henning reported that special meeting statutes prohibit adding to the agenda. Motions made during the public hearing are null and void, because they were not noticed in the meeting agenda. Mr. Henning stated the way to fix and stay within the limitations would be to repeat the procedure that was done during the public hearing.

MOTION BY: Commissioner Franchuk **SECOND BY:** Commissioner Arthaud

To amend the 2020 budget to reflect the proposed budget presented by Sheriff Lee on September 3, 2019.

DISPOSITION: Roll call vote. All voted aye. Motion carried

MOTION BY: Commissioner Franchuk **SECOND BY:** Commissioner Arthaud

To approve the telephone request by Sheriff Lee to purchase a cell phone for Ms. Wandler.

DISPOSITION: Roll call vote. Commission Elkin, Aye. Commissioner Arthaud, Aye. Commissioner Franchuk, Aye. Commissioner Kuntz, Aye. Chairman Zander, Nay. Motion carried

Accounts Payable

MOTION BY: Commissioner Kuntz

SECOND BY: Commissioner Elkin

To approve the accounts payable with the supplement as presented.

DISPOSITION: Roll call vote. All voted aye. Motion carried

General: \$546,802.10;

10 Mill: \$400,250.96;

County Road: \$196,025.95;

Highway Tax Distribution: \$172,528.57;

Social Welfare: \$286,809.66;

Capital Improvement: \$167,841.15;

County Jail: \$160,912.58;

VSO Fund: \$12,027.30;

County Agent: \$6,951.77;

Weed Control: \$69,395.91;

9-1-1: \$36,896.54;

Misc Grant: \$1,077.98;

SW Victim Witness Program: \$8,467.91;

Preservation Fund: \$2,503.64;

State Reimbursement: \$293.32;

Siren Contingency: \$337.81;

24/7 Fund: \$2,242.43;

Other Reimbursements: \$1,341.23;

Judgement Execution: \$8,887.41;

911 Equipment: \$2,955.60;

Special Operations: \$1,880.79;

Sheriff Lee

Sheriff Lee reported the surplus auction went very well. Sheriff Lee introduced K9 Officer Archer, the newest member to the Sheriff's Office, and Archer's handler Corporal Kevin Eldridge. Sheriff Lee on behalf of the Stark County Association of Deputies requested the county match funds to purchase candy for Trick and Trunk.

MOTION BY: Commissioner Elkin **SECOND BY:** Commissioner Kuntz
To match the funds from the advertising line item.

DISPOSITION: Roll call vote. All voted aye. Motion carried

Road Superintendent - Al Heiser

Mr. Heiser requested out of state travel to the road conference in Rapid City, South Dakota and gave an update on the condition of county roads.

MOTION BY: Commissioner Kuntz **SECOND BY:** Commissioner Arthaud
To approve out of state travel for up to four (4) people.

DISPOSITION: Roll call vote. All voted aye. Motion carried

Commissioner Kuntz extended a thank you to Mr. Heiser and the crew for all the work done to get the roads in good shape.

County Engineer – Andrew Krebs

Mr. Krebs provided the KLJ engineer's report for one street project, two bridge replacement projects and one chip seal project.

Jeremy Wood – Northern Plains Engineering

Mr. Wood provided the Northern Plains engineer's report for two street projects and two bridge replacement projects.

Mike Njos – Highland Engineering

Mr. Njos provided the Highland engineer's report for one bridge replacement project and one culvert replacement project going through the design project process.

Red Trail Energy – Dustin Willett

Mr. Willett gave an update on the Red Trail Energy Carbon Capture and Storage Project.

Scull

Rod Cockeram gave an update on the new Stark County Office Building construction. Zach Mathern with JLG Architects presented contractors pay applications.

Medical Certifications – Road Dept

State's Attorney Tom Henning reported that the policy is being worked on and will be presented at a later date.

Billing Entities – Estimate Tax Statements

Auditor Kay Haag explained that she has been involved with correspondence with other county auditors related to the expenses for sending out the estimated tax statements be billed to the entities. Auditor Haag was advised to give the entities a heads up about the costs they may in the future be responsible for.

MOTION BY: Commissioner Kuntz **SECOND BY:** Commissioner Elkin

To absorb the cost for this year.

DISPOSITION: Roll call vote. All voted aye. Motion carried

Appointment – Fair Delegate

Auditor Kay Haag reported that the County Commission is responsible to appoint one delegate to the North Dakota State Fair. This delegate is invited to attend the State Fair Association Annual Meeting.

MOTION BY: Commissioner Kuntz **SECOND BY:** Commissioner Elkin

To appoint Commissioner Franchuk as State Fair Delegate.

DISPOSITION: All voted aye. Motion carried

Delinquent Tax Properties

Auditor Kay Haag presented a list of 30 parcels that are in arrears for 3 years of taxes. The property owner has until 5:00PM today (October 1) to pay the 2016 taxes or until the tax sale to pay all three years in full.

Zoning

RZ 10-19 Matthew Dolechek is requesting a rezoning from Agriculture to Rural Residential on a property located in the NE ¼ of Section 35, Township 138, Range 96 containing approximately seven (7) acres. Planning and Zoning along with staff recommends approval.

MOTION BY: Commissioner Franchuk **SECOND BY:** Commissioner Arthaud

To approve the rezoning request as presented.

DISPOSITION: Roll call vote. All voted aye. Motion carried

Manufacturing Day

Guy Moos, on behalf of local manufacturers, presented and read a resolution to proclaim October 9, 2019 as Manufacturing Day in Stark County.

MOTION BY: Commissioner Elkin **SECOND BY:** Commissioner Franchuk

To proclaim October 9, 2019, as Manufacturing Day in Stark County.

DISPOSITION: Roll call vote. All voted aye. Motion carried

LEPC – JOE WANNER

Joe Wanner, Chairman of LEPC, informed the Board that the LEPC will be purchasing two (2) foam nozzles for the Richardton and Gladstone Fire Departments and a supply of Chemguard Foam. Emergency Services Director Bill Fahlsing explained that since the

LEPC funds are in an account with Stark County this is more of a courtesy call to let the Board know what the funds are spent on.

Assessor Fees – Small Cities

Director of Equalization Natalie Wandler reported that her office assesses property in all the small cities except for Taylor. The small cities that are assessed are currently charged a flat rate of \$2,000 annually. Ms. Wandler recommended charging per parcel and explained that if you break the current annual fee down by parcel, the per parcel charge ranges from \$4.73 to \$14.81. Decision was tabled until further information can be provided and to be put on the November agenda.

Speed Limits on Highway 10

Commissioner Kuntz recommended removing the 45 mph truck speed limit signs on Highway 10 and increase the speed for trucks to 55 mph.

MOTION BY: Commissioner Kuntz **SECOND BY:** Commissioner Elkin
To remove all 45 mph truck limit signs along Highway 10 from Billings County to Morton County.

DISPOSITION: Roll call vote. All voted aye. Motion carried

Lembke Fine

Webster Lembke, with Entrec Crane & Heavy Haul, addressed the board about a possible compromise on an overweight fine that was charged for which he felt was partly due to a lag time in the permitting process. Road Superintendent Al Heiser commented that when applying for a permit it states to allow 48 hours for approval. Discussion was held and Mr. Lembke was informed that the County has not compromised in the past and by doing so now would set a precedent. Recommended Mr. Lembke contact the State's Attorney if he wanted to contest the fine.

Forsgren Associates

Aaron Swenson and Bobbi Strait presented their annual renewal contract for issuing building permits in Stark County. Commissioner Arthaud reported the City of Dickinson and an independent contractor are being considered. Discussion on a competitive bid process was held. Commissioner Franchuk and Commissioner Arthaud will take the lead on collecting competitive bids with standards the same for all.

Taxpayer Letter

Commissioner Arthaud reported she has been receiving calls about a letter that was sent from Tax Equalization. Director of Equalization Natalie Wandler explained that two letters have been sent:

- 1) ND State Tax Department is asking that every property have a property record card, including the exempt properties. Letters were sent to County residents that have qualified for the Farm Residence Exemption in order to collect the data needed for the property record card and to notify the resident that her office would be driving around the County taking pictures of residential buildings.

- 2) Letter sent to all property owners in the county to take new pictures for the website, and to complete a form to give square footage, number of rooms, etc. The returned information will be compared to what is on file to make sure our records are correct.

Recommendation was made to have Tax Equalization follow up with more information to the property owners who have not responded.

Minutes

State's Attorney Tom Henning clarified the Auditor is responsible for making the record of commission meetings, so having the Auditor or someone from the Auditor's office would be the appropriate manner for taking minutes at the commission meeting.

Adopt 2020 Budget

Auditor Kay Haag presented the 2020 budget with the following additions/changes:

Domestic Violence requesting \$35,000.00 and Weed Control would like to transfer the \$12,000 line item in their budget to Highway Distribution.

MOTION BY: Commissioner Elkin **SECOND BY:** Commissioner Arthaud

To amend the 2020 budget to reflect the changes presented.

DISPOSITION: Roll call vote. Commission Elkin, Aye. Commissioner Arthaud, Aye. Commissioner Franchuk, Aye. Commissioner Kuntz, Nay. Chairman Zander, Aye. Motion carried

Director of Emergency Services Bill Fahlsing reported that the EMP grant numbers increased from \$40,000.00 to \$68,278.00.

MOTION BY: Commissioner Elkin **SECOND BY:** Commissioner Kuntz

For Auditor to make amendment to Department of Emergency Services Grant Line item as presented.

DISPOSITION: Roll call vote. All voted aye. Motion carried

MOTION BY: Commissioner Elkin **SECOND BY:** Commissioner Arthaud

To adopt the 2020 budget as presented

DISPOSITION: Roll call vote. All voted aye. Motion carried

The following Miscellaneous Receipts were filed: General: \$458,625.28; 10 Mill: \$36,188.26; County Road: \$162,721.08 ; Highway Tax Distribution: \$292,451.06; Special Road & Bridge: \$10,872.47; Social Services: \$42,611.81; Capital Improvement: \$310,787.47; County Jail: \$27,607.54; Emergency Fund: \$3,624.16; Veteran's Service Officer: \$9,129.98; County Agent: \$8,420.83; Weed Control: \$7,557.98; E-911 Fund: \$27,931.71; Adult Education: \$90.00; Asset Forfeiture: \$11,370.00; Fingerprint Station: \$145.00; Estimate Tax: \$8,465.03; Security Reimbursement: \$850.26; Victim Witness: \$6,055.86; Preservation Fee: \$1,656.00; State Reimbursement: \$1,049.28; 24/7 Fund: \$10,658.00; Other Reimbursements: \$1,057.52; Judgement Execution: \$8,887.41; 911 Equipment: \$5,569.56;

MOTION BY: Commissioner Elkin

SECOND BY: Commissioner Arthaud

To adjourn the meeting.

DISPOSITION: Motion carried